

CITY OF HAYWARD AGENDA REPORT

Planning Commission
Meeting Date $\frac{06/10/99}{2}$ Agenda Item

TO:

PLANNING COMMISSION

FROM:

Richard E. Patenaude, Associate Planner

SUBJECT:

REFERRAL BY THE PLANNING DIRECTOR: USE PERMIT APPLICATION NO. 98-160-10 - PETER JACOBSOHN (APPLICANT) / DR. SANDEEP SALWAN (OWNER) - Request to construct a three-story structure consisting of the following; approximately 2,300 square feet for recovery room space located on the street level; a 5,700 square-foot veterinary clinic/hospital on the second level; and a 2,400 square-foot residential unit on the third level; and a request to allow parking for this structure on residentially-zoned property.

The project location is <u>21888 Foothill Boulevard</u>, in the CN (Neighborhood Commercial) and RM (Medium-Density Residential) Zoning Districts.

RECOMMENDATION:

That the Planning Commission adopt the Negative Declaration (Exhibit F) and approve the use permit pursuant to the conditions of approval attached as Exhibit B.

DISCUSSION:

Proposal

The applicant proposes to construct a three-story building to be used as a veterinary clinic/hospital and residential unit. The first floor, approximately 2,400 square-feet, would house a recovery room to service the veterinary clinic's patients. The second floor, 5,700 square-feet, would be used as the veterinary clinic/hospital and contain the following amenities; reception and lobby area, five exam rooms, two general preparation rooms, three surgical rooms, two offices, a dark room, refrigerator-freezer room, an intensive care unit, restrooms, and related storage. The third floor would consist of a 2,400 square-foot residential unit.

The application for this development was originally submitted in May 1998 and had proposed the first-story use as retail space. In response to comments from city staff and neighbors relating to potential vehicle trips generated by the retail use and adequate on-site parking, the proposal was

revised. The first story was changed to recovery room space to service the associated veterinary clinic/hospital.

Property Description/Adjacent Land Use

The parcel is currently vacant, rectangular in shape, and slopes upward easterly from Foothill Boulevard. The site has approximately 111 feet of frontage on Foothill Boulevard, is approximately 429 feet deep, and contains 34,418 square feet (0.79 acre) in area. The rear 140 feet of the property will remain vacant.

Land uses to the south include commercial uses at the corner of Foothill Boulevard and Rex Road and single-family residences on Rockford Road. The properties to the west across Foothill Boulevard consist of commercial uses with residential uses beyond the commercial. Properties to the north consist of commercial uses. Directly to the north of the site is vacant land, which is approved for a future expansion of the Super '8' Motel.

Major Issues

The major issues associated with construction of the veterinary clinic/hospital and residence are:

- proximity of a commercial operation to existing residential uses;
- access to and from the site; and
- use of residential land for parking.

The commercial operation is proposed within the Neighborhood Commercial (CN) District that specifically permits the subject use with approval of an Administrative Use Permit (AUP). The required parking does extend into the Medium-Density Residential (RM) District and is also permitted by AUP. The project is configured so that the portion of the property easterly of the extension of Rockford Road could ultimately be developed for residential uses consistent with the RM District. The single access to the property from Foothill Boulevard will reinforce the orientation of this commercial operation to that street and away from the residential uses. The access from Rockford Road will be used solely for public service and emergency access.

The project site fronts Foothill Boulevard and extends easterly past Rockford Road and is located within the Neighborhood Commercial (CN) and Medium-Density Residential (RM) Zoning Districts. A number of the uses in the immediate area, especially those that front Foothill Boulevard, are commercial. Because the proposal contains a residential component and is considered to be a partial residential infill, staff believes there will be no conflict between the proposed use and existing residential uses. Also, the proposed project is consistent with the Hayward General Plan land use designation, existing zoning districts, and the North Hayward Neighborhood Plan and its recommended land use policies for the Foothill Boulevard Corridor.

Architecture

The proposed structure is designed with a Mediterranean theme and is consistent with architectural-oriented design policies of the North Hayward Neighborhood Plan, that call for this theme along Foothill Boulevard. The Neighborhood Plan, adopted in 1994, states "Encourage new development to be compatible with Mediterranean theme based on the existing olive trees, off-white stucco and natural tile roofs."

Because the proposed structure is three stories, it is taller (with the exception of the adjacent Super '8' Motel, which is also three stories) than several of the buildings in the surrounding area, possibly causing it to appear out of proportion in relation to the surrounding structures. The design calls for the rear portion of the structure to be built into the existing hillside, which helps in concealing some of the building's mass by presenting a two-story façade on the rear elevation. As requested by staff, the applicant redesigned the building's front facade so that the three levels are stepped back as they go up in height. This, in addition to the use of windows and decorative balustrades, helps to break up the two- and three-story facades presented on the side elevations.

The existing Super '8' Motel is three stories in height. This property has an approved application, which is currently in the building permit stage, for construction of a three-story addition, which would be adjacent to the clinic. That approval showed the motel stepping back, as is proposed for the clinic. Also, the residential area to the south of the project site extends back up into the hillside, creating a developed urban look past the proposed building footprint. Staff believes that due to the topography and the developed nature of the surrounding area, the proposed structure will not be out of scale.

Facility Operations

Customers may enter the clinic/hospital one of two ways: if parking in one of the five spaces near the building's front, an elevator located near parking space #5 would take them up to the second floor; if parking at the rear of the building, patients would enter via the double-door entrance at the rear of the building. Due to the slope of the property, this entrance to the building's second floor would actually be at "ground level."

Since the recovery room would house recovering clinic patients, the veterinary clinic would operate 24 hours per day. The applicant has indicated that the rooms located on the ground floor would be for patients only; no long-term boarding of animals would occur. The proposed refrigerator/freezer room would be used, in part, to store carcasses and/or body parts until their proper removal and pick-up by an outside licensed disposal service.

Parking and Vehicular Circulation

The proposal provides 17 parking stalls (one of which is designated for handicapped use) to service the veterinary clinic/hospital and residence, providing adequate on-site parking. The five spaces shown at the front of the property are covered by the second story of the building.

The drive aisle accessing the parking stalls is required to be 26 feet wide; the current site plan shows this to be only 22 feet 6 inches wide. A portion of the lower floor of the building will have to be redesigned to accommodate the widened aisle; the architect feels that this can be done. Transportation Engineering staff recommends that the entry driveway be redesigned to conform to City of Hayward Standard Detail 110 (SD-110) requiring a 30-foot wide driveway, and to Caltrans Standard Plan A87 for curb and gutter design. These requirements are included as conditions of approval.

Primary access to the site would be from Foothill Boulevard. Secondary and emergency access (including access by garbage/recycle trucks and fire trucks) is proposed from Rockford Road. The parking lot has been designed so that the end of Rockford Road abuts the most easterly parking bay aisle. This will permit emergency and waste disposal vehicles to circulate through the property without having to back up. A decorative gate will be placed at the end of Rockford Road so that only authorized vehicles have through access.

Trash/Recycle Service

As proposed, the facility shows a trash enclosure at the easterly end of the parking lot. No other details on trash and recycling services have been submitted with the applicant's proposal. The Solid Waste Manager has submitted conditions (found in Exhibit B) that must be incorporated into design revisions prior to issuance of building permits.

Landscaping

The applicant's submittal did not include a landscape plan, however, the site plan shows proposed groundcovers and trees to be planted by the applicant. There are also several oak and redwood trees, and a large eucalyptus located on-site, some of which are proposed for retention and others for removal. The rear of the property shows a terraced area with a

footpath. A condition of approval requires the applicant to submit a detailed landscape and irrigation plan prepared by a licensed landscape architect and submitted for review and approval by the City prior to issuance of a building permit.

Lighting

The applicant proposes exterior light fixtures that are attached to the building. More specific lighting plans are not available for staff's review at this time. Exterior lighting must be maintained so that lighting is confined to the property, and that a minimum of one candle foot of lighting shall be provided at ground level during hours of darkness. Lighting should be directed to reflect away from nearby residences to the south. Staff recommends that a lighting plan, which meets the provisions of the Security Ordinance and incorporates decorative fixtures to complement the Mediterranean design theme, be submitted for review and approval prior to issuance of a building permit.

Signs

The applicant's submittal does not include a sign program, although a sign is indicated on the site plan within the 20-foot setback. A condition of approval requires the applicant to submit a Sign Permit application to be reviewed and approved by the City before issuance of a Certificate of Occupancy. Sign design, materials and location should be complementary to and reflective of the architectural design of the building.

Environmental Review/Public Notice

The proposal is defined as a project under the parameters set forth in the California Environmental Quality Act (CEQA) Guidelines, and as such requires environmental review. A Negative Declaration was prepared by staff and was circulated for a 20-day review period, commencing July 14, 1998, and concluding August 3, 1998. Comments from local residents were received during the Initial Referral process, but no comments on the environmental adequacy of the Negative Declaration were received. It should be noted that the Negative Declaration was prepared at the time that the project was proposing retail uses on the ground floor, rather than the revised recovery room use. The current proposal is a less intensive use than that originally proposed, and any potential impacts of the currently proposed project would have been covered.

On May 28, 1999, a Notice of Public Hearing was mailed to every property owner and resident within 300 feet of the property as noted on the latest assessor's records, appropriate public agencies, and former North Hayward Neighborhood Plan task force members.

Conclusion

The proposed veterinary clinic/hospital will be an asset to the inhabitants and City of Hayward, and staff is supportive of this use. Staff believes that, because of the project's location, and surrounding development and uses, conflict between nearby residential uses and this proposal will be minimal. The single access from Foothill Boulevard will minimize conflict between the surrounding residential uses and the proposed use. The Planning Commission's action is final unless appealed or called up a City Councilmember.

Prepared by:

Richard Patenaude, Associate Planner

Recommended by:

Dyana Anderly, AICP

Development Review Services Adminstrator

Attachments:

Exhibit A. Findings for Approval

Exhibit B. Conditions of Approval

Exhibit C. Area Map Exhibit D. Site Plan

Exhibit E. Elevations

Exhibit F. Environmental Checklist/Negative Declaration

FINDINGS FOR APPROVAL Use Permit Application No. 98-160-10 Veterinary Clinic/Hospital 21888 Foothill Boulevard

Based on the staff report and the public hearing record:

- 1. The Planning Commission finds that the Negative Declaration is complete and final in accordance with the California Environmental Quality Act Guidelines and reflects the independent judgement of the Planning Commission based on the fact that the project could not have significant environmental impacts.
- 2. The project, as conditioned, is desirable for the public convenience and welfare in that it helps provide a full range of services for the residents of the City of Hayward and, specifically for, the North Hayward Neighborhood.
- 3. This project, as conditioned, will not impair the character and integrity of the Neighborhood Commercial (CN) and the Medium-Density Residential (RM) Zoning Districts in that it is in character with the surrounding development and uses, and will not conflict with the existing residential uses in the vicinity.
- 4. The project, as conditioned, will not be detrimental to the public health, safety or general welfare as evidenced by the fact that it is in conformance with the Hayward General Plan land use designations and existing zoning districts.
- 5. The project, as conditioned, will be in harmony with applicable City policies, including the Hayward Design Guidelines and the North Hayward Neighborhood Plan and its recommended policies for the Foothill Boulevard Corridor.

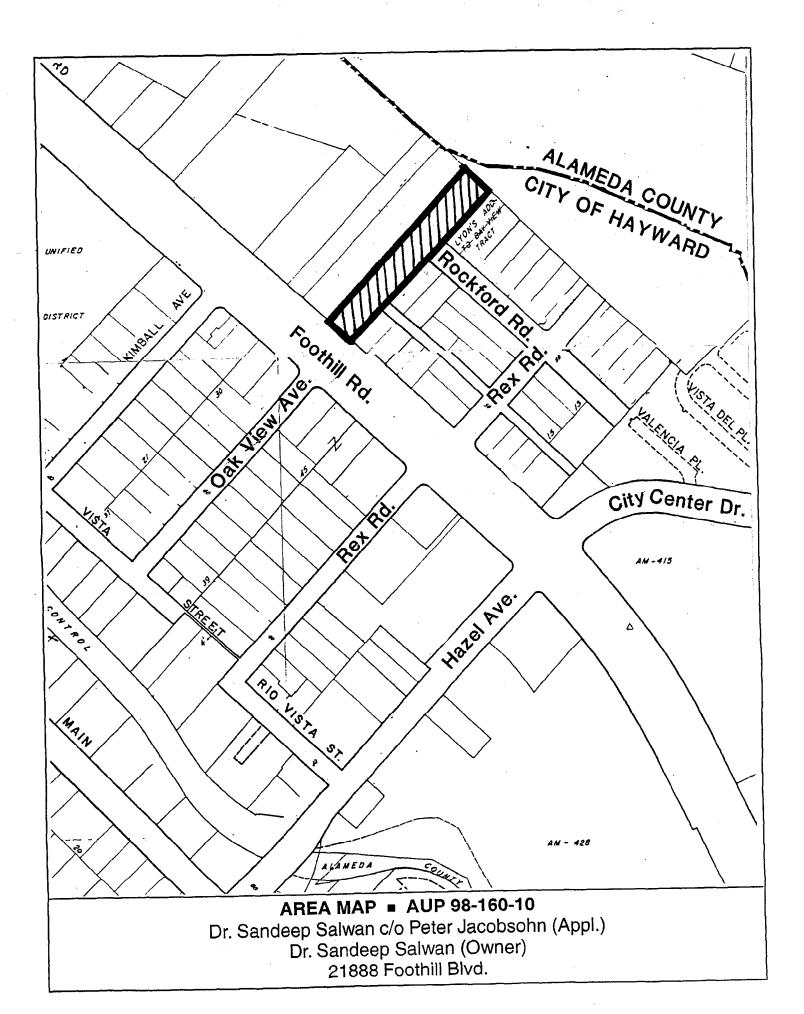
CONDITIONS OF APPROVAL Use Permit Application No. 98-160-10 Veterinary Clinic/Hospital 21888 Foothill Boulevard

- 1. This Use Permit Application No. 98-160-10 to construct a three-story building to be used as a veterinary clinic/hospital and residential unit located at 21888 Foothill Boulevard shall be constructed and operated in accordance with these conditions and plans approved by the Planning Commission on June 10, 1999, and labeled Exhibit A as amended by these conditions of approval.
- 2. This approval is void one year after the effective date of approval unless a building permit has been accepted as complete by the City Building Official. Any modification to the approved plans shall require review and approval by the Planning Director.
- 3. Before authorization for gas or electric service and occupancy is granted, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
- 4. Before issuance of building permits, the applicant shall submit a revised site plan, grading plan and building elevations, which conform to the approval and conditions of the Planning Commission, to the Planning Director for review and approval. Plans shall be prepared and stamped by licensed professionals in their respective fields. The plans shall include the following information:
 - a. The driveway on Foothill Boulevard shall conform to the City of Hayward Standard Detail 110 (SD-110) and CalTrans Standard Plan A87 for curb and gutter design; a CalTrans permit shall be obtained prior to any construction along the Foothill Boulevard right-of-way. The parking lot aisle shall be a minimum of 26 feet in width. Modifications will have to be made to the westernmost parking bay and the adjacent structure to accommodate this increased driveway width.
 - b. The transition between the easternmost parking bay and the end of Rockford Drive shall be designed to provide acceptable all-weather access for public service and emergency vehicles to the satisfaction of the Planning Director. Pavement shall support the gross vehicle weight (50,000 lbs.) of fire apparatus.
 - c. The parking layout shall be revised to conform to City Standard Detail 110B (SD-110B). Parking stalls cannot have a slope greater than 5% and internal driveways cannot exceed a 15% grade.
 - d. Parking facilities shall be adequately and attractively lighted for safety and security as determined by the City Engineer.

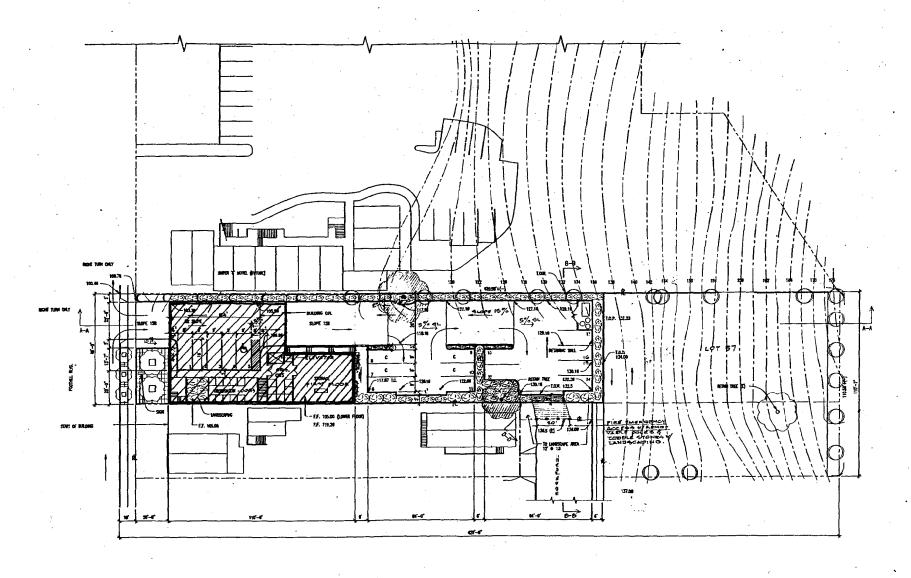
- 5. Prior to occupancy, the applicant shall submit a Sign Permit application to the Planning Director for review and approval for all signs on site. Illumination shall be natural or external. The base and framing of any freestanding/monument sign shall reflect the architectural design, colors and materials of the building.
- 6. Before a building permit is issued, a detailed storm drain plan shall be submitted to the City Engineer for review and approval. The plan shall show existing and proposed storm drain layout, length, size, slope and inverts between catch basins. Best Management Practices shall be implemented for stormwater pollution prevention. All stormwater runoff facilities shall comply with the following:
 - a. conveyance into a City of Hayward or Alameda County Flood Control District facility.
 - b. pass through and treatment in a structural control (i.e. sand/oil separator or other approved device) prior to entering the storm drain system.
 - c. labeling on-site storm drain inlets with "No Dumping Drains to the Bay" using approved methods.
 - d. drainage from the trash enclosure, or from any wash or process area, shall not drain into the storm drain.
- 7. Prior to the issuance of building permits, the applicant shall submit for review and approval by the Solid Waste Manager an on-site recycling plan to be implemented during the construction phase. The plan must show anticipated start and completion dates. The applicant must ensure that construction debris is removed from the site by a licensed contractor as an incidental part of a total construction service offered by that contractor rather than as a separately contracted or subcontracted hauling service using debris boxes, or is directly loaded onto a fixed-body vehicle and hauled directly to a disposal facility that holds all applicable permits.
- 8. The applicant shall contact the City's franchised hauler, Waste Management of Alameda County, to arrange for delivery of containers with sufficient capacity to store construction materials to be landfilled.
- 10. Prior to the issuance of an occupancy permit, the property owner/applicant shall indicate the location and dimensions of any existing and proposed enclosure(s) for trash and recyclables on a plan. The number and type of containers that will be used shall also be indicated. The property owner/applicant shall provide an enclosure(s) that conforms to City standards, including the following:
 - a. A 6-inch wide curb or parking bumpers shall be provided along the interior perimeter of the enclosure to protect the walls from damage by the dumpster. A 6-inch wide parking bumper, at least three feet long, shall also be placed between the dumpster(s) and any recycling container(s). A minimum space of 12 inches must be maintained between the dumpster(s) and the walls of the enclosure and any recycling cart(s) to allow for the maneuvering of the dumpster(s).

- b. All exterior trash enclosures, including the existing enclosure, shall be covered. The Director of Community and Economic Development/Planning Director shall approve the final design before occupancy. No other area shall drain into the trash enclosure.
- c. The applicant shall provide for adequate on-site storage containers for recyclables within the buildings, including paper, glass/plastic/metal beverage containers, and other recyclables where generated.
- d. The gates and hinges of the enclosure(s) must be flush with the enclosure wall. It is important that the gates open straight out in order to allow adequate maneuverability of the dumpster.
- e. The plans shall show the dimensions of the enclosure for trash/recyclables. The space provided for the storage of recyclables should be the same as that provided for trash. The plans shall also indicate the number and type of refuse and recycling containers that will be used. The applicant must ensure that there is adequate space for a garbage truck to service each dumpster providing a minimum 40-foot turning radius for garbage trucks.
- 9. All parking and maneuvering areas shall be paved with Class B Portland Cement concrete, or a minimum of 3-inch asphaltic concrete over a minimum of 6-inch aggregate base at 95% compaction. This shall be accomplished to the satisfaction of the City Engineer prior to occupancy.
- 10. Before occupancy, the applicant shall submit to the City's Utility Service Representative a gallon-per-minute demand to determine proper meter size.
- 11. Install a Reduced Pressure Backflow Prevention Assembly per City of Hayward Standard Detail 202.
- 12. Provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate per Hayward Municipal Code 11-2.02.1.
- 13. Only Water Distribution Personnel shall perform operation of valves on the Hayward Water System.
- 14. Water service is available subject to the standard conditions and fees in effect at the time of the application.
- 15. Before the issuance of a building permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. These plans shall include a report on the existing trees by a certified arborist. The report shall identify tree species and their physical condition and a recommendation for preservation if appropriate. If tree removal is recommended, the City's Landscape Architect will have to approve a tree replacement program. Tree removal permits are required for removal of any trees. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance.

- a. The applicant shall provide street trees. Two 24-inch box trees are required on Foothill Boulevard. Tree species shall be as approved by the City and shall be planted according to City Standard Detail SD-122.
- b. Provide one 15-gallon tree for every 6 parking stalls. Landscaped areas adjoining driveways and/or parking areas shall be separated by a 6-inch-high Class "B" Portland Cement concrete curb. Parking rows shall be capped with a landscaped median.
- c. All tree wells, planting areas and medians shall be a minimum of 5 feet wide measured inside the curbs.
- d. Provide details and colors for the decorative paving.
- e. Landscape improvements shall be installed according to the approved plans and to the satisfaction of the City, and a Certificate of Substantial Completion and an Irrigation Schedule shall be submitted prior to the issuance of a Certificate of Occupancy.
- 16. Landscaping shall be maintained in a healthy, weed-free condition at all times. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within ten days of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City.
- 17. During construction, the project shall meet the requirements of Hayward Fire Code Article 87 "Fire Safety during Construction, Alteration or Demolition of a Building."
- 18. The entire building shall include fire sprinklers per NFPA 13 and 24. Plans shall be submitted to the Fire Department for review and approval prior to issuance of building permits. Sprinklers shall be operational and functioning properly to the satisfaction of the Fire Department prior to the issuance of occupancy permits. Vertical clearance over circulation areas shall be a minimum of 13'6".
- 19. Park dedication fees are required for the new residential unit. The fees shall be those in effect at the time of issuance of the building permit.
- 20. Violation of these conditions is cause for revocation of this Conditional use Permit after a public hearing before the duly authorized review body.







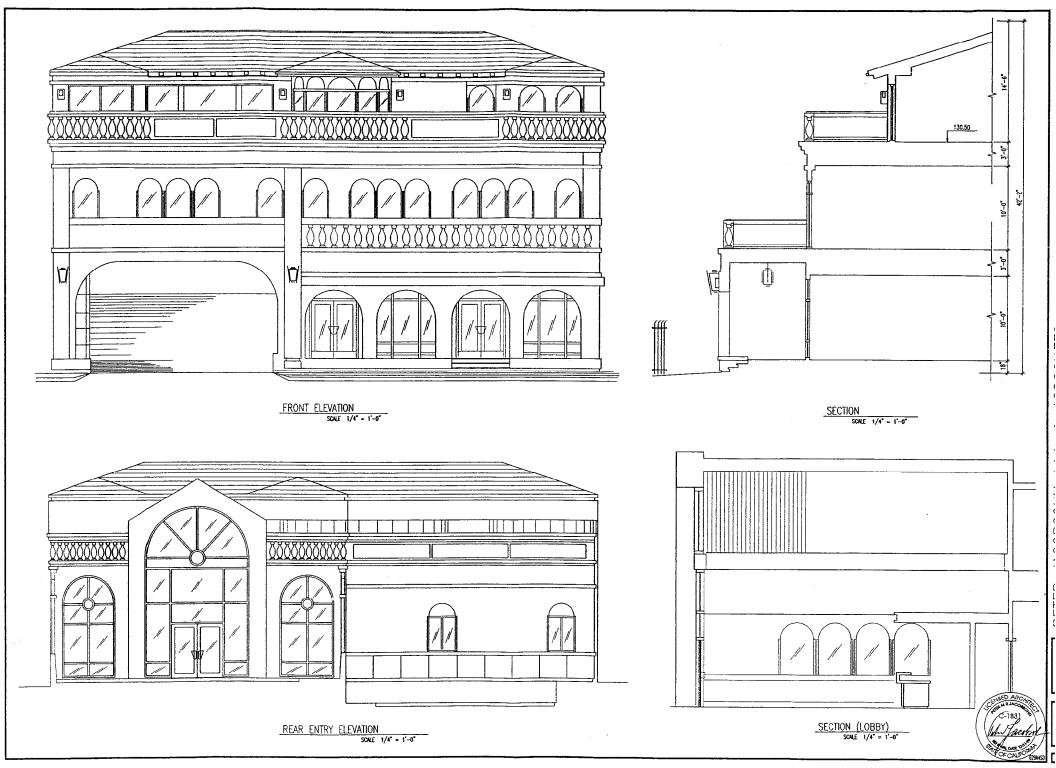
SITE PLAN (TOTAL SITE)

PARKING: 19T PLOOR 44TANDARD + 1 H.C # 5
4 COMPACT + 85TANDARD + 1 H.C # 5
4 COMPACT + 85TANDARD + 17 CAR4

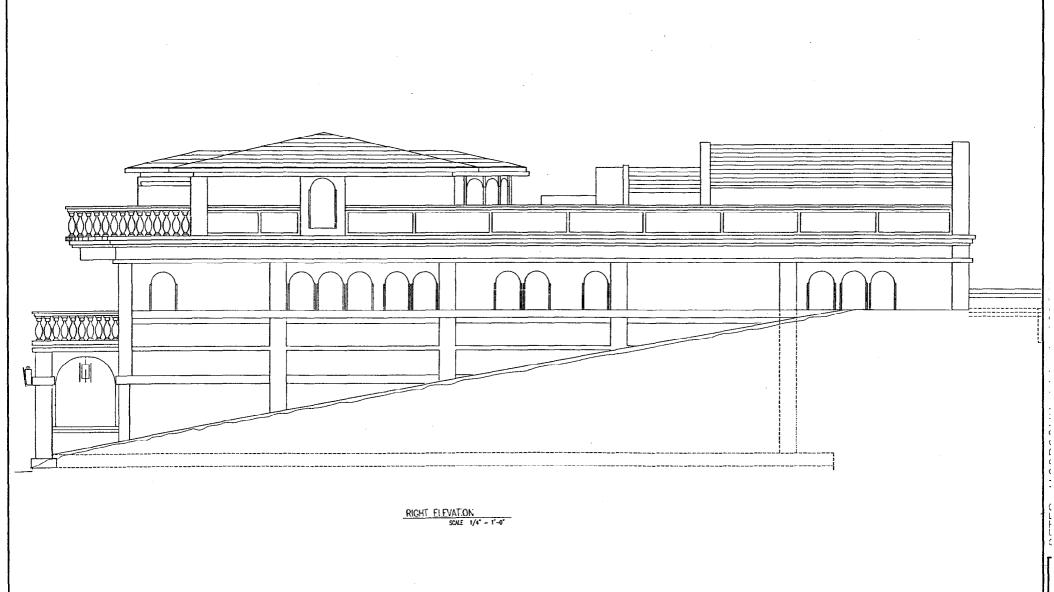
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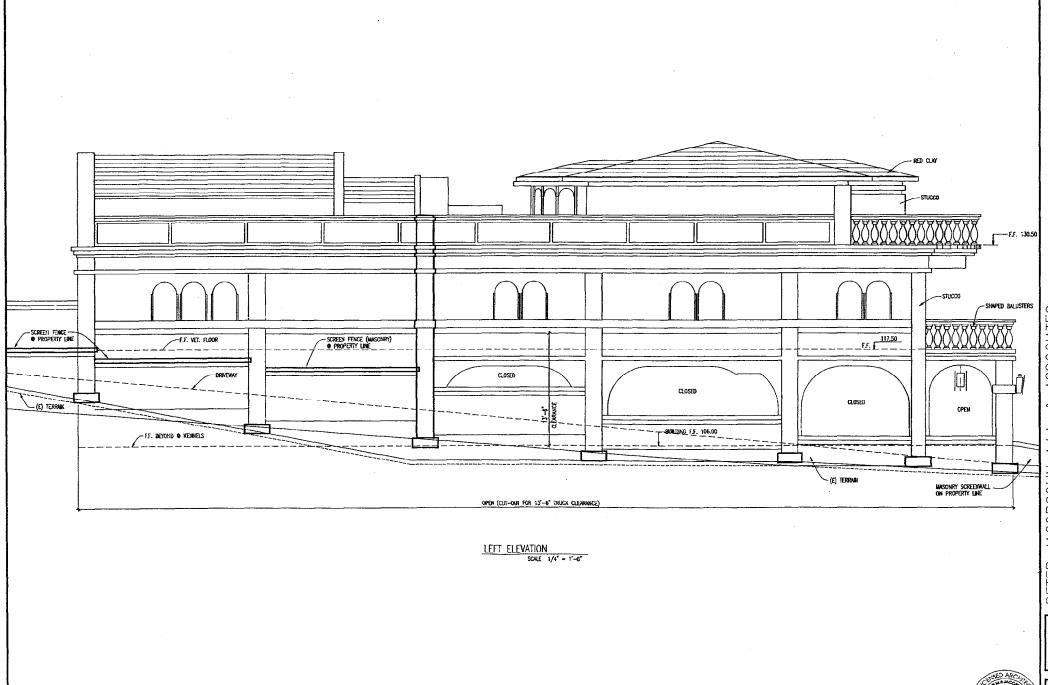
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IXHIBIT E

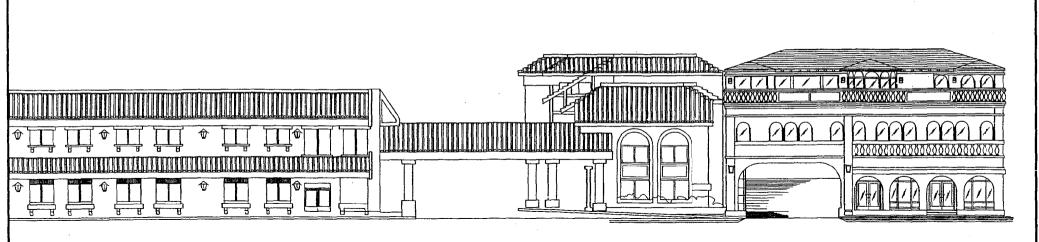




E-1831

Ph Jack

STOCK CAN STANS



FOOTHILL BLVD. ELEVATION

SCHE 1/8" = 1'-0"





CITY OF HAYWARD NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

USE PERMIT APPLICATION NO. 98-160-10 - PETER JACOBSOHN (APPLICANT) / DR. SANDEEP SALWAN (OWNER) - Request to construct a three-story structure consisting of the following; approximately 2,300 square feet of kennel space located on the street level; a 5,700 square-foot veterinary clinic/hospital on the second level; and a 2,400 square-foot residential unit on the third level; and a request to allow parking for this structure on residentially-zoned property.

The project location is 21888 Foothill Boulevard, in the CN (Neighborhood Commercial) and RM (Medium-Density Residential) Zoning Districts.

FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project will have no significant effect on the area's resources, cumulative or otherwise if the public hearing body determines approve the conditional use permit.

II. FINDINGS SUPPORTING DECLARATION:

- A. The project involves development of a veterinary clinic/hospital with an accessory dwelling unit in an area where such uses are permitted. The proposed project is an appropriate use of the property.
- B. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared with a determination that the project will not have a significant impact on the environment if the public hearing body grants the conditional use permit, and as long as the applicant meets all conditions of approval.
- C. Construction of the proposed building can be adequately achieved as long as the conditions of approval are implemented.
- D. The parking and circulation on the site can be adequately achieved as long as the conditions of approval are implemented.

III. PERSON WHO PREPARED INITIAL STUDY:

Matt Tomas
Associate Planner

Dated: May 28, 1999

IV. COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of Hayward, Development Review Services Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4214, or e-mail richardp@ci.hayward.ca.us.

DISTRIBUTION/POSTING

Provide copies to all organizations and individuals requesting it in writing.

Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing. Project file.

Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT Development Review Services Division

INITIAL STUDY CHECKLIST FORM

PROJECT TITLE:	Administrative Use Permit (AUP 98-160-10)
LEAD AGENCY NAME	
AND ADDRESS:	City of Hayward, 777 B St. Hayward, CA 94541-5007
CONTACT PERSON AND PHONE NUMBER:	Matt Tomas (510) 583-4229
PROJECT LOCATION:	21888 Foothill Boulevard, Hayward, CA 94545
PROJECT SPONSOR'S NAME AND ADDRESS:	Peter Jacobsohn, Architect for Dr. Sandeep Salwan (Owner) 4449 Grover Drive, Fremont, CA 94536 (510) 797-7512
ZONING: CN (Neighborhooparcel minimum)	ION: Commercial High Density Residential (CHDR) d Commercial and RSB10 (Single Family Residential, 10,000-square-foot
(APPLICANT) DR. SAND square-foot veterinary clinic level. One residential unit is	dministrative Use Permit (AUP 98-160-10) – PETER JACOBSOHN FOR EEP SALWAN (OWNER): Administrative Use Permit to establish a 5,700 //hospital and approximately 2,300 square feet of retail space located on the street salso proposed as part of a setback third story. The site is located at 21888 (eighborhood Commercial Zoning District. (APN:453-0020-071-03; -05).
SURROUNDING LAND USES The project site is undevelopment of the North Hay	ped land located between a motel and single family uses on Foothill
OTHER PUBLIC AGENCIES	WHOSE APPROVAL IS REQUIRED: Not applicable.
ENVIRONMENTAL FACTOR The environmental factors one impact that is a "Poten	S POTENTIALLY AFFECTED: checked below would be potentially affected by this project, involving at least tially Significant Impact" as indicated by the checklist on the following pages.
Land Use and Planning Population and Housing Geological Problems Water Air Quality Mandatory Findings of Significance	

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation: I find that the proposed project COULD NOT have a significant effect on the environment, and a \boxtimes NEGATIVE DECLARATION will be prepared. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared. I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. July 13, 1998 Date Signature City of Hayward Matt Tomas Agency Printed name

ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impaci
I. LAND USE AND PLANNING. Would the proposal:	•			
a) Conflict with general plan designation or zoning?				\boxtimes
The proposed project is consistent with the Hayward General Plan land use designation and existing zoning districts. It is also consistent with the North Hayward Neighborhood Plan and its recommended land policies for the Foothill Boulevard Corridor.				
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?				\boxtimes
The project is not in conflict with environmental plans or policies adopted by City or other governmental agencies.	•			
c) Be incompatible with existing land use in the vicinity? See response to Ia. Above.				\boxtimes
 d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? The site is vacant parcel designated for urban development within a commercial corridor. 				
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?				\boxtimes
The project is considered to be an infill residential project in an existing residential area.		· ·	•	
II. POPULATION AND HOUSING. Would the proposal:				
a) Cumulatively exceed official regional or local population projections? The project is consistent with established density ranges of the Hayward General Plan.				\boxtimes
b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or				\boxtimes
extension of major infrastructure)? The project is consistent with adopted land use plans and policies				

c) Displace existing housing, especially affordable housing?	Potentially Significant Impact	Potentially Significant Uniess Mitigation Incorporated	Less Than Significant Impact	No Impaci
The site is presently vacant.				
III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:				
a) Fault rupture? The property is outside the Alquist-Priolo Special Studies Fault Zone.				\boxtimes
b) Seismic ground shaking? (Source: On Shaky Ground-ABAG)				\boxtimes
c) Seismic ground failure, including liquefaction? This area is not known to have the potential for seismic ground failure including liquefaction.				
d) Seiche, tsunami, or volcanic hazard? Not known in this area.				\boxtimes
e) Landslides or mudflows? Area is not in the hillside and is not susceptible to mudflows.				\boxtimes
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? Conditions do not exist.				
g) Subsidence of land? Conditions do not exist.				
h) Expansive soils? The soils are alluvial and sedimentary rock.				\boxtimes
i) Unique geologic or physical features? No unique conditions exist.				\boxtimes
IV. WATER. Would the proposal result in:				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? The proposed project is providing facilities for stormwater runoff into an approved City stormwater runoff system that was designed to accept the volume of runoff generated from the project				

	Potentially Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impac
b) Exposure of people or property to water related hazards such as flooding? The site is not least discontinuously Elect Plain.				
The site is not located in a designated Flood Plain.				
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity?				\boxtimes
The project will not discharge into surface waters or affect surface water quality. The project drains into the city stormwater runoff system.				
d) Changes in the amount of surface water in any water body? The project is not located near any water feature.				
e) Changes in currents, or the course or direction of water movements? The project is not located near any water feature.				
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? There is no substantial excavation proposed to alter any groundwater feature and the project meets lot coverage standards.				
g) Altered direction or rate of flow of groundwater? The project will not alter the direction or flow of groundwater because it receives urban water service through underground pipes.				
h) Impacts to groundwater quality? The project will not impact groundwater quality because the project will provide stormwater and sanitary sewer infrastructure.				
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? The project is not located in the watershed for the East Bay Municipal Utility District, which is a local public water supplier.				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impacs	No Impact
V. AIR QUALITY. Would the proposal:				
a) Violate any air quality standard or contribute to an existing or projected air quality violation? The project is consistent with adopted land use policy, in terms of uses and density ranges, and will not affect the air quality standard nor will it contribute to an existing or projected air quality violation since it does not generate any air pollutants.				
b) Expose sensitive receptors to pollutants? There are no sources or generators of pollutants in the area.				\boxtimes
c) Alter air movement, moisture, or temperature, or cause any change in climate? The project will not alter air movement, moisture, or temperature, or cause any change of climate.				
d) Create objectionable odors? The project will not create any odors.				
VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:				
a) Increased vehicle trips or traffic congestion?				\boxtimes
The proposed project would create about 17 peak hour trips which is well below the 100 peak hour trip threshold of significance that is established by the Alameda County Congestion Management Agency.		•		
b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? All features are designed to city specifications which address traffic safety concerns.				
c) Inadequate emergency access or access to nearby uses? The project provides ingress from and egress to the public street system that is adequate for emergency vehicle access.				

d) Insufficient parking capacity onsite or offsite? The proposed project provides adequate on-site and on-street parking as required per city standards.	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Hazards or barriers for pedestrians or bicyclists? The project will provide standard curb and sidewalks for				
pedestrians and a public street for bicyclists. f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? The proposed project is located within a 5 minute walk of bus				
routes which is consistent with policies found in the Hayward General Plan and Circulation Element.	•			
g) Rail, waterborne or air traffic impacts? No conflicts exist.				\boxtimes
VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to				
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? No wildlife exists on or near the site, except for some non-native trees on the periphery of the site.				
b) Locally designated species (e.g., heritage trees)?				
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? No natural communities exist on or near the site.				
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? No wetland habitat exists on or near the site.				\boxtimes
e) Wildlife dispersal or migration corridors? None of the above exists on or near the site.				\boxtimes
VIII. ENERGY AND MINERAL RESOURCES. Would the proposal: a) Conflict with adopted energy conservation plans? Proposed new construction is consistent with local requirements for energy conservation.				\boxtimes

	Potentially Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Use nonrenewable resources in a wasteful and inefficient manner?				\boxtimes
 Hayward encourages new development projects to recycle building materials on the site. c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the 				\boxtimes
residents of the State? No known resource would be significantly affected by this development.			. •	
 IX. HAZARDS. Would the proposal involve: a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation)? 				\boxtimes
No hazardous substances are proposed to be stored as part of				
 the project. b) Possible interference with an emergency response plan or emergency evacuation plan? The project does not have the potential to interfere with an 				
emergency response or evacuation plan. Fire, Police and other emergency vehicles will have adequate access to the new building.				· ·
c) The creation of any health hazard or potential health hazard?				\boxtimes
The project will not create any health or potential health hazard.			·	
d) Exposure of people to existing sources of potential health hazards?				\boxtimes
The project will meet City of Hayward and Uniform Fire Code standards that mitigate potential health and safety hazards.				
e) Increased fire hazard in areas with flammable brush, grass, or trees?				\boxtimes
All structures are built to Uniform Fire Code standards.				
X. NOISE. Would the proposal result in: a) Increases in existing noise levels? Projected noise levels around and near the site, per the City of Hayward's Noise Contour Map, is within acceptable levels for				\boxtimes
commercially-designated areas.				

	Potentially Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impac
b) Exposure of people to severe noise levels? Projected noise levels around and near the site, per the City of Hayward's Noise Contour Map, is within acceptable levels for commercially-designated areas.				
XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas: a) Fire protection? The project site is located within the 5-Minute Response time				
area for Fire Station #1. b) Police protection?	·			[]
The project will receive police protection services from the Hayward Police Department.				
c) Schools? The proposed project will not generate more school age children than what is already anticipated by the Hayward General Plan.				
d) Maintenance of public facilities, including roads? The new street will be built and constructed to public street standards (40 foot right-of-way) which allows gas tax monies to be used for maintenance. A new landscaping strip will be maintained through a homeowners association, Lighting and Landscape District, or some other similar mechanism for its long-term maintenance.				
e) Other government services? No other services are impacted.				
XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities? a) Power or natural gas? Existing facilities and planned infrastructure to each new dwelling are adequate to accommodate the project.				\boxtimes
b) Communications systems? Existing facilities and planned infrastructure to each new dwelling are adequate to accommodate the project.				

Potentially

(1.24)	Potentially Significant	Potentially Significant Unless Mitigation	Less Than Significant	No Impaci
c) Local or regional water treatment or distribution facilities? Existing facilities and planned infrastructure to each new	Impact	Incorporated	Impact	\boxtimes
dwelling are adequate to accommodate the project.		•		•
d) Sewer or septic tanks? Existing facilities and planned infrastructure to each new dwelling are adequate to accommodate the project.				\boxtimes
e) Storm water drainage? Existing facilities and planned infrastructure are adequate to accommodate the project.				
f) Solid waste disposal? The project is conditioned to provide adequate solid waste disposal and participation in the City of Hayward recycling program is required.				
g) Local or regional water supplies? Existing facilities are adequate to accommodate the project.				
XIII. AESTHETICS. Would the proposal? a) Affect a scenic vista or scenic highway? None affected. b) Have a demonstrable negative aesthetic effect? The project is consistent with architectural-oriented design policies of the North Hayward Neighborhood Plan which calls				
for a Mediterranean design theme along Foothill Boulevard. c) Create light or glare? The size and scale of the building is consistent with all zoning regulations. Any light and glare created by the project will be negligible.	. 🗆			
XIV. CULTURAL RESOURCES. Would the proposal:				
 a) Disturb paleontological resources? None recorded in the area or on site. b) Disturb archaeological resources? None recorded in the area or on site. c) Have the potential to cause a physical change which would affect unique cultural values? 				
None recorded in the area or on site. d) Restrict existing religious or sacred uses within the potential impact area? None recorded in the area or on site.				

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impa
X	V. RECREATION. Would the proposal:				
a)	Increase the demand for neighborhood or regional parks or other recreational facilities? The residential portion of the project will pay park dedication fees which can be used to provide increased recreation opportunities.				
b)	Affect existing recreational opportunities? The residential portion of the project will pay park dedication fees which can be used to provide increased recreation opportunities.				
XV	7I. MANDATORY FINDINGS OF SIGNIFICANCE.				
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?				\boxtimes
c)	Does the project have impacts that individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
d)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				\boxtimes
ХV	TI. EARLIER -ANALYSES.				

None used.